

REMARKS

I. Introduction

Pending claims 1-20 have been examined and are rejected. Specifically, claims 1-4 and 10-13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over newly applied Takahara et al., U.S. Patent No. 5,450,613 (hereinafter "Takahara"), in view of Suzuki, U.S. Patent No. 6,256,520 (hereinafter "Suzuki"); claims 5-8 and 14-17 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Takahara and Suzuki, and further in view of Guerlin et al., U.S. Patent No. 5,870,680 (hereinafter "Guerlin"); claims 9 and 18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Takahara and Suzuki, and further in view of Nounin et al., U.S. Patent No. 5,802,469 (hereinafter "Nounin"); and claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Takahara and Suzuki, and further in view of newly applied Hee-Won Seo, U.K. Patent No. GB 2,328,588 (hereinafter "Seo").

Applicant traverses these rejections as follows.

II. Claim Rejections -- 35 U.S.C. § 103(a)

Claims 1-4 and 10-13

Claims 1-4 and 10-13 stand rejected under § 103(a) as allegedly being unpatentable over Takahara in view of Suzuki.

Claim 1 recites, *inter alia*, "a radio portable terminal including a portable terminal section for deciding a notification condition of a circuit state between the radio portable terminal and a

base station based on information of power supplied to said portable terminal section". The Examiner acknowledges that Takahara fails to disclose deciding a notification condition of a circuit state between a radio portable terminal and a base station based on information of power supplied to a portable terminal section of the radio portable terminal (Office Action: page 3). However, the Examiner alleges that Suzuki makes up for this deficiency of Takahara.

To the contrary, Suzuki relates to monitoring whether a voltage V of a battery becomes lower than a predetermined voltage V_{th} (Suzuki: col. 6, line 60 to col. 7, line 9; and Fig. 3). In Suzuki, if the voltage of the battery drops during wireless communication through packet transmission, the transmission is temporarily stopped in a state where reception is maintained (Suzuki: Abstract; and Fig. 4). When an exchange of batteries is ended and a battery voltage is restored, transmission is resumed (*Id.*).

Maintaining a communication connection during a voltage drop, as disclosed in Suzuki, is not the same as "deciding a notification condition of a circuit state between the radio portable terminal and a base station based on information of power supplied to said radio portable terminal", as recited in claim 1. For example and not by way of limitation, according to the present invention, a different notification condition can be decided based on different power supplied information (*see, e.g.,* Applicant's specification: page 2-15; and Tables 1-3). As shown in Table 1, a first notification condition (*i.e.*, a condition that must be met before the portable radio section will notify the portable terminal section of the circuit state) is provided for the power supplied information indicating a power supply type of AC power. In Table 1, a second notification condition is provided for the power supplied information indicating a power supply

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type of battery power and 80% or more of the battery's capacity is remaining. None of the voltages (V or V_{th}) disclosed in Suzuki are used to decide a notification condition, as recited in claim 1.

Furthermore, claim 1 recites "notifying said portable terminal section of the circuit state when the circuit state satisfies the notification condition received from said portable terminal section". Thus, once the circuit state satisfies the notification condition in effect, the portable terminal section of the radio portable terminal is notified of such. Having received this notification, the portable terminal section can send a circuit connection request to the portable radio section with increased confidence (Applicant's Fig. 3, step 14).

Takahara fails to teach or suggest notifying a portable terminal section of a circuit state. Instead, Takahara discloses notifying a user when the state of mobile communications equipment changes, *e.g.*, to or from a communicable state (Takahara: Abstract; and col. 3, lines 12-24). In Takahara, when the mobile communications equipment changes state, a user is notified of the state change by, for example, a voice message, an audible beep, a flickering light or vibrations (Takahara: col. 11, lines 57-67).

Suzuki fails to make up for this deficiency of Takahara. Suzuki, like Takahara, discloses notifying a user of a particular event and does not teach or suggest notifying a portable terminal section of a circuit state. In Suzuki, when a battery 3 of a mobile communications device 10 becomes lower than a predetermined value, a control section 8 of the mobile communications

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device 10 causes a sounder 5 and/or a display section 6 to generate an alarm, thereby alerting a user to the voltage drop (Suzuki: col. 5, lines 24-33; and col. 6, line 60 to col. 7, line 9).

Further still, the Examiner fails to establish a *prima facie* case of obviousness by setting forth a reasonable teaching or suggestion in the references themselves (or the knowledge generally available to one of ordinary skill in the art), at the time of Applicant's invention, for combining Takahara and Suzuki as proposed. Instead, the Examiner merely alleges that it would have been obvious to combine Takahara and Suzuki "in order to provide power supply device to the mobile communication device" (Office Action: page 3).

Takahara relates to mobile communications equipment that detects when it is moved into or out of a service area and notifies a user thereof accordingly (Takahara: Abstract). Conversely, Suzuki relates to detecting a voltage drop during data transmission and when an exchange of batteries is ended (and a voltage is recovered), the data transmission is resumed (Suzuki: Abstract). The disclosures of Takahara and Suzuki are disparate and one of ordinary skill in the art would not have been motivated to combine Takahara and Suzuki in the manner proposed by the Examiner, absent impermissible hindsight.

For at least the above exemplary reasons, claim 1 is patentable over a reasonable combination, if any, of Takahara and Suzuki. Claim 10 recites features similar to claim 1 and is patentable over Takahara and Suzuki based on a rationale analogous to that set forth above for claim 1. Claims 2-4 and 11-13, at least by virtue of their dependency, are patentable over Takahara and Suzuki.

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Claims 5-8 and 14-17

Claims 5-8 and 14-17 stand rejected under § 103(a) as allegedly being unpatentable over Takahara and Suzuki, and further in view of Guerlin.

Guerlin fails to make up for the exemplary deficiencies of Takahara and Suzuki set forth above. Consequently, claims 5-8 and 14-17 are patentable over a reasonable combination, if any, of Takahara, Suzuki and Guerlin, at least by virtue of their dependency.

Claims 9 and 18

Claims 9 and 18 stand rejected under § 103(a) as allegedly being unpatentable over Takahara and Suzuki, and further in view of Nounin. Nounin fails to make up for the exemplary deficiencies of Takahara and Suzuki set forth above. Consequently, claims 9 and 18 are patentable over a reasonable combination, if any, of Takahara, Suzuki and Nounin, at least by virtue of their dependency.

Claims 19 and 20

Claims 19 and 20 stand rejected under § 103(a) as allegedly being unpatentable over Takahara and Suzuki, and further in view of Hee-Won Seo. Hee-Won Seo fails to make up for the exemplary deficiencies of Takahara and Suzuki set forth above. Consequently, claims 19 and 20 are patentable over a reasonable combination, if any, of Takahara, Suzuki and Hee-Won Seo, at least by virtue of their dependency.

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III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Billy Carter Raulerson
Registration No. 52,156

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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